

RECEIVED
CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR 21 2004

In re Application of:

DREHER, Shane F.

Examiner: unassigned

Serial No.: 10/772,411

Group Art Unit: unassigned

Filed: 2/26/04

Title: A LASER-MARKING ADDITIVE

OFFICIAL

PETITION UNDER 35 U.S.C §1.53(e)

Mail Stop - OFFICE OF PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants acknowledge the Notice of Incomplete Non-Provisional Application Filed Under 37 C.F.R. §1.53(b) that was mailed 06 May 2004. Particularly, the Notice indicated that a filing date has not been accorded to the above-identified application for the failure to include drawings. Applicants respectfully submit that this denial of a filing date is an error.

Particularly, the Provisional Application No. 60/445,231, filed February 6, 2003 is expressly incorporated by reference. See first paragraph at page 1 and first full paragraph at page 38. Consequently, the drawings (attached) are included in the present application.

Alternatively, FIGS. 1 and 2 are redundant to information provided in the specification because they are merely a graphical depiction of data in Table 2. See the two paragraphs bridging pages 6 and 7 and Table 2 at page 28 of the specification.

Consequently, Applicants respectfully submit that the information in the figures are included in the application and all information necessary to establish a filing date for the present

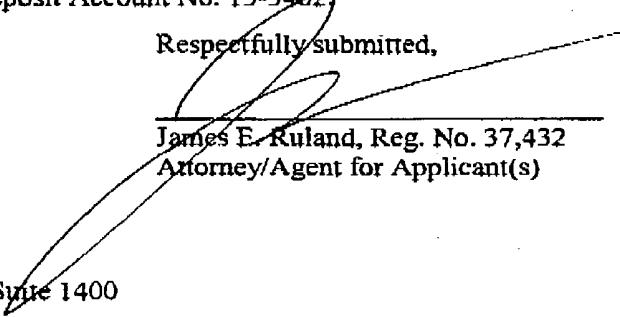
application was provided on the filing date 26 February 2004.

Therefore, Applicants respectfully submit that this petition be granted and that the application be accorded a filing date of 26 February 2004.

Once this petition has been granted to accord the application a filing date, Applicants respectfully request a refund of the Petition fee. The refund should be credited to Deposit Account No. 13-3402.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


James E. Ruland, Reg. No. 37,432
Attorney/Agent for Applicant(s)

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: EMI-0056-01

Date: May 21, 2004

JER/jqs
K:\EMI\0056-01\Petition 5-18-04.dox